

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name: Osram Sylvania Products Incorporated
Mailing Address: 1000 Tyrone Pike, Versailles, Kentucky, 40383

Source Name: Same as above
Mailing Address: Same as above

Source Location: 1000 Tyrone Pike

Permit Type: Federally-Enforceable
Review Type: Title V
Permit Number: V-99-023
Log Number: F359

Application Complete Date: December 11, 1997

KYEIS ID #: 102-4140-0008
AFS Plant ID #: 21-239-00008
SIC Code: 3229

Region: Frankfort
County: Woodford

Issuance Date:
Expiration Date:

John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on December 11, 1997, the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Group Requirements: Group 1

01(P01) Lime Glass Melting Furnace

Description:

A lime glass melting furnace with a processing rate of 13 tons of glass pulled per hour and 105,000 tons glass pulled per year. The furnace shall operate at 850 KW or greater. No control equipment. Construction commenced - 1998.

04(F04) Lead Glass Batch Weigh

Description:

The weighing of major ingredients for lead glass with a processing rate of 8.35 tons per hour or 22,128 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

05(P05/F05) Lead Glass Batch Mixing

Description:

The mixing of ingredients for lead glass with a processing rate of 10.4 tons per hour or 30,000 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

05(P05/F05) ESP Dust Recycling

Description:

The recycling of dust with a processing rate of 0.25 ton per hour or 2,100 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

06(P06) Litharge Pneumatic

Description:

Conveying and loading of litharge for production of lead glass with a processing rate of 15.0 tons per hour. The control equipment is a dry dust collector. Construction commenced - September, 1985.

07(P07/F07) Conveyor Lead Glass Batch

Description:

The conveying of ingredients of lead glass with a processing rate of 16.8 tons per hour or 30,000 tons per year. The control equipment is a dry dust collector. Construction commenced - April, 1997.

08(P04) Lime Glass Batch Weigh

Description:

The weighing of major ingredients for lime glass with a processing rate of 30.9 tons per hour or 94,091 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)**08(P05/F05) Lime Glass Batch Mixing****Description:**

The mixing of ingredients for lime glass with a processing rate of 30.9 tons per hour or 119,318 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

08(P08) Conveyor Lime Glass Batch**Description:**

The conveying of lime glass with a processing rate of 38.7 tons per hour or 119,318 tons lime glass per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

09(F14) Lime Glass Crusher**Description:**

The crushing of lime glass with a processing rate of 27.3 tons per hour or 51,545 tons per year. The control equipment is the enclosure of the process. Construction commenced - October, 1978.

12(P12/F12) Tool Room**Description:**

The miscellaneous machining of metals with a processing rate of 10.0 tons per hour. The control equipment is a dry dust collector. Construction commenced - August, 1983.

13(P13/F13) Lead Glass Crusher**Description:**

The crushing of lead glass with a processing rate of 20.0 tons per hour or 30,000 tons of lead glass per year. The control equipment is a baghouse. Construction commenced - August, 1976.

15(P15A/F15B, P15/F15) Lime Glass Tube ETC Coating**Description:**

The coating of lime glass and the finishing ovens with a processing rate of 27.4 tons per hour or 84 tons per year. The control equipment is a wet scrubber and a wet electrostatic precipitator. Construction commenced - January, 1985, and January, 1986.

20(P20) Sludge Dryer**Description:**

The dryer processes and dries various waste with a processing rate of 208 pounds per hour. The control equipment is a wet scrubber. Construction commenced - July, 1988.

21(F21) Glass Coating and Etching Operation**Description:**

The process consists of coating lime and lead glass with sulfur dioxide and fluorides. The sulfur dioxide has a processing rate of 54.5 SCF per hour or 119,127 SCF per year. The difluoroethane injection has a processing rate of 0.8 pound per hour or 3.42 tons per year. The perfluoropropane injection has a processing rate of 0.4 pound per hour or 0.378 tons per year. The control equipment is the partial enclosure of the process. Construction commenced - June and August, 1989.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)**APPLICABLE REGULATIONS:**

401 KAR 59:010, New process operations

1. Operating Limitations:

None.

2. Emission Limitations:

Pursuant to Regulation 401 KAR 59:010:

- a) Visible emissions from each emission point listed in the above table shall not equal or exceed 20 percent opacity, as determined with Reference Method 9, Appendix A, 40 CFR 60.
- b) Hourly particulate emissions from each emission point listed in the above table as measured by Reference Method 5, Appendix A, 40 CFR 60, averaged over three hours shall not exceed each individual PM emission rate limit calculated by the following formula.

$$E = 3.59 P^{0.62}$$

Where P is the process weight (total weight of all materials introduced into each emission unit which may cause the emissions of particulate matter) in tons/hour. If the process weight equals or is less than 0.5 ton/hour, then the particulate matter emission rate shall not exceed 2.34 lbs./hr.

- c) For 01(P01): PM and PM₁₀ emissions shall not exceed a maximum of 15.6 lbs/hr (63.0 TPY) and 13.7 lbs./hr (55.2 TPY), respectively based upon a 3-hour average. SO₂ and NO_x emissions shall not exceed a maximum of 42.9 lbs/hr (174 TPY) and 154 lbs/hr (621 TPY), respectively, based upon a 24-hour average. (Self-imposed to preclude applicability of 401 KAR 51:017)

3. Testing Requirements:

None.

4. Specific Monitoring Requirements:

To provide reasonable assurance that visible emission limitations are met the permittee shall:

- i) Perform a quarterly opacity reading, or more frequent if requested by the Division, from each stack or vent using Reference Method 9. Opacity readings shall be conducted while the emission units are in operation
- ii) Perform a daily qualitative visual observation of the opacity of emissions from each stack/vent and maintain a log of the observation. The log shall note:
 - 1) Whether any air emissions (except for water vapor) were visible from the vent/stack,
 - 2) All emission points from which visible emissions occurred, and
 - 3) Whether the visible emissions were normal for the process.
- iii) Determine the opacity of emissions by Reference Method 9 if visible emissions from any stack/vent is perceived or believed to exceed the applicable standard.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)

Compliance Demonstration: To provide reasonable assurance that the particulate matter emission limitations (TSP and PM₁₀) are being met, the permittee shall monitor the amount and type of process weight added to each particulate matter emissions unit. The process weight shall be determined as the average hourly tons added to the emission unit averaged over a one-month period. Average particulate emissions shall be calculated as follows:

$$PE = (PW \times PEF)$$

Where PE = Particulate emissions in lbs./hr, PW = process weight in tons/hr, and PEF = particulate emission factor in lbs./ton of process weight.

5. Specific Record Keeping Requirements:

Records shall be maintained of the daily, qualitative, and quarterly Reference Method 9 opacity readings and the amount of process weight processed by each emissions unit. These records shall be maintained for 5 years and made available for review upon request. Records shall be maintained of the process weight for the units in the above table.

6. Specific Reporting Requirements:

Any exceedance over the opacity or particulate matter emission limitations as stated in this permit shall be reported to the Division as specified in Section F (6). The company shall also certify to the Division, annually, that a daily visible emission survey is conducted and the specified records are being kept for these emission points. If more than two exceedances occur in any rolling six months, the owner or operator shall submit to the Division's Frankfort Regional Office a corrective action plan for the Division's approval on form DEP7007BB, no later than 30 days from the second exceedance.

7. Specific Control Equipment Operating Conditions:

See Section E.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)**Group Requirements: Group 2****02(P02A, P02/F02) Lead Glass Melting Furnace****Description:**

A lead glass melting furnace with a processing rate of 4.5 tons per hour or 30,000 tons of glass pulled per year. The control equipment is a electrostatic precipitator. Construction commenced - 1972.

03(F03) Raw Material Unloading**Description:**

Unloading of the raw material with a processing rate of 100.0 tons per hour or 106,411 tons per year. The control equipment is a partial enclosure of the operation and a pneumatic line. Construction commenced - 1972.

03(F03) Raw Material Storage Silos**Description:**

Storage of the raw material with a processing rate of 100.0 tons per hour or 106,411 tons per year. The control equipment is a dry dust collector. Construction commenced - 1972.

08(F16) Minor Ingredients Loading**Description:**

The loading of minor ingredients into the batch mixes with a processing rate of 0.57 ton per hour or 5,026 tons per year. The control equipment is partial enclosure of process and vents. Construction commenced - 1972.

09(P22) Lime Glass Cullet Handling**Description:**

The moving of the crushed lime glass with a processing rate of 20.0 tons per hour or 68,000 tons per year. The control equipment is a dry dust collector. Construction commenced - 1972.

APPLICABLE REGULATIONS:

401 KAR 61:020, Existing process operations

1. **Operating Limitations:** None.

2. **Emission Limitations:**

Pursuant to Regulation 401 KAR 61:020:

- a) Visible emissions from each emission point listed in the above table shall not equal or exceed 40 percent opacity, as determined with Reference Method 9, Appendix A, 40 CFR 60.
- b) Hourly particulate emissions from each emission point listed in the above table as measured by Reference Method 5, Appendix A, 40 CFR 60, averaged over three hours shall not exceed each individual PM emission rate limit calculated by the following formula, unless otherwise specified.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)

$$E = 4.10 P^{0.67}$$

Where P is the process weight (total weight of all materials introduced into any emission unit which may cause the emissions of particulate matter) in tons/hour. If the process weight equals or is less than 0.5 ton/hour, then the particulate matter emission rate shall not exceed 2.58 lbs/hr or exceed the combined particulate emission limits.

Compliance Demonstration: To provide reasonable assurance that the particulate matter emission limitations (TSP and PM₁₀) are being met, the permittee shall monitor the amounts and types of process weights added to each emissions unit. The process weight shall be determined as the average hourly tons added to the emission unit averaged over a one-month period. Average particulate emissions shall be calculated as follows:

$$PE = (PW \times PEF)$$

Where PE = Particulate emissions in lbs./hr, PW = process weight in tons/hr, and PEF = particulate emission factor in lbs./ton of process weight.

3. Testing Requirements:

None.

4. Specific Monitoring Requirements:

To provide reasonable assurance that the visible emission limitations are being met the permittee shall:

- i) Perform a quarterly opacity reading, or more frequent if requested by the Division, from each stack or vent using Reference Method 9. Opacity readings shall be conducted while the emission units are in operation.
- ii) Perform a daily qualitative visual observation of the opacity of emissions from each stack/vent and maintain a log of the observation. The log shall note:
 - 1) Whether any air emissions (except for water vapor) were visible from the vent/stack,
 - 2) All emission points from which visible emissions occurred, and
 - 3) Whether the visible emissions were normal for the process.
- iii) Determine the opacity of emissions by Reference Method 9 if visible emissions from any stack/vent is perceived or believed to exceed the applicable standard.

5. Specific Record Keeping Requirements:

Records shall be maintained of the daily, qualitative and quarterly Reference Method 9 opacity readings and the amount of process weight processed by each emissions unit. These records shall be maintained for 5 years and made available for review upon request. Records shall be maintained of the appropriate throughputs for the units in the above table.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)

6. Specific Reporting Requirements:

Any exceedance of the opacity or particulate matter emission limitations as stated in this permit shall be reported to the Division as specified in Section F (6). The company shall also certify to the Division, annually, that a daily visible emission survey is conducted and the specified records are being kept for these emission points. If more than two exceedances of opacity or particulate matter emissions occur in any rolling six months, the owner or operator shall submit to the Division's Frankfort Regional Office a corrective action plan for the Division's approval on form DEP7007BB, no later than 30 days from the second exceedance.

7. Specific Control Equipment Operating Conditions:

See Section E.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)**Group Requirements: Group 3****01(P01) Lime Glass Melting Furnace****Description:**

A lime glass melting furnace with a maximum processing rate of 13.0 tons of glass pulled per hour and 105,000 tons glass pulled per year. No control equipment. Construction commenced - 1972.

02(P02A, P02/F02) Lead Glass Melting Furnace**Description:**

A lead glass melting furnace with a processing rate of 4.50 tons per hour or 30,000 tons of glass pulled per year. The control equipment is a electrostatic precipitator. Construction commenced - 1972.

04(F04) Lead Glass Batch Weigh**Description:**

The weighing of major ingredients for lead glass with a processing rate of 8.35 tons per hour or 22,128 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

05(P05/F05) Lead Glass Batch Mixing**Description:**

The mixing of ingredients for lead glass with a processing rate of 10.4 tons per hour or 30,000 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

05(P05/F05) ESP Dust Recycling**Description:**

The recycling of dust with a processing rate of 0.25 ton per hour or 2,100 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

06(P06) Litharge Pneumatic**Description:**

Conveying and loading of litharge for production of lead glass with a processing rate of 15.0 tons per hour. The control equipment is a dry dust collector. Construction commenced - September, 1985.

07(P07/F07) Conveyor Lead Glass Batch**Description:**

The conveying of ingredients of lead glass with a processing rate of 16.8 tons per hour or 30,000 tons per year. The control equipment is a dry dust collector. Construction commenced - April, 1997.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)**08(P04) Lime Glass Batch Weigh****Description:**

The weighing of major ingredients for lime glass with a processing rate of 30.9 tons per hour or 94,091 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

08(F16) Minor Ingredients Loading**Description:**

The loading of minor ingredients into the batch mixes with a processing rate of 0.57 ton per hour or 5,026 tons per year. The control equipment is partial enclosure of process and vents. Construction commenced - 1972.

08(P05/F05) Lime Glass Batch Mixing**Description:**

The mixing of ingredients for lime glass with a processing rate of 30.9 tons per hour or 119,318 tons per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

08(P08) Conveyor Lime Glass Batch**Description:**

The conveying of lime glass with a processing rate of 38.7 tons per hour or 119,318 tons lime glass per year. The control equipment is a dry dust collector. Construction commenced - August, 1985.

09(F14) Lime Glass Crusher**Description:**

The crushing of lime glass with a processing rate of 27.30 tons per hour or 51,545 tons lime glass per year. The control equipment is the enclosure of the process. Construction commenced - October, 1978.

13(P13/F13) Lead Glass Crusher**Description:**

The crushing of lead glass with a processing rate of 20.0 tons per hour or 30,000 tons of lead glass per year. The control equipment is a baghouse. Construction commenced - August, 1976.

15(P15A/F15B, P15/F15) Lime Glass Tube ETC Coating**Description:**

The coating of lime glass and the finishing ovens with a processing rate of 27.4 tons per hour or 84 tons per year. The control equipment is a wet scrubber and a wet electrostatic precipitator. Construction commenced - January, 1985, and January, 1986.

APPLICABLE REGULATIONS:

401 KAR 63:021, Existing sources emitting toxic air pollutants

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)

1. Operating Limitations:

None.

2. Emission Limitations:

Lead emissions from the source shall not exceed 2.77 lbs/hr.

Antimony emissions from the source shall not exceed 9.44 lbs/hr.

3. Testing Requirements:

None.

4. Specific Monitoring Requirements:

Lead and antimony throughputs shall be monitored as follows:

Emission rate of pollutant (lb/hr)= Controlled emission factor (lb/lb or lb/ton) * Throughput (lbs or tons) / 8-hour period

5. Specific Record Keeping Requirements:

Records of the lead and antimony percent content in the input materials, throughputs of process materials, and emission rates shall be maintained by the permittee.

6. Specific Reporting Requirements:

Lead and antimony emission exceedences shall be reported to the Division as specified in Section F(6).

7. Specific Control Equipment Operating Conditions:

See Section E.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)**Group Requirements: Group 4****02(P02A, P02/F02) Lead Glass Melting Furnace****Description:**

A lead glass melting furnace with a processing rate of 4.50 tons per hour or 30,000 tons of glass pulled per year. The control equipment is a electrostatic precipitator. Construction commenced - 1972.

21(F21) Glass Coating and Etching Operation**Description:**

The process consists of coating lime and lead glass with sulfur dioxide and fluorides. The sulfur dioxide has a processing rate of 54.5 SCF per hour or 119,127 SCF per year. The difluoroethane injection has a processing rate of 0.8 pound per hour or 3.42 tons per year. The perfluoropropane injection has a processing rate of 0.4 pound per hour or 0.378 tons per year. The control equipment is the partial enclosure of the process. Construction commenced - June and August, 1989.

APPLICABLE REGULATIONS:

401 KAR 50:045, Performance tests

1. Operating Limitations:

None.

2. Emission Limitations:

None.

3. Testing Requirements:

Performance tests shall be performed on the above referenced points for PM, NO_x, SO₂, total fluorides, and lead within ninety days after the effective date of the final permit. Performance tests shall be performed by the reference methods specified in Regulation 401 KAR 50:015, Section 1. The PM from the PM compliance tests shall be analyzed to determine the emissions of antimony for the initial compliance test. The permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the Division's Frankfort Office at least thirty (30) days prior to the date of the required performance tests. The Division shall be notified of the actual test date at least ten (10) days prior to the tests and given the opportunity to attend/observe the performance test.

4. Specific Monitoring Requirements:

None.

5. Specific Record Keeping Requirements:

Records of performance tests shall be kept on site for at least five years.

6. Specific Reporting Requirements:

A report of the results of all performance tests shall be submitted to the Division's Frankfort Office.

7. Specific Control Equipment Operating Conditions:

See Section E.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Forehearth 221 - Burning Natural Gas or Propane (F23)	26. Cooling Tower #1 (F51)
2. Flame Polishers 221A (F24)	27. Cooling Tower #2 (F51)
3. Flame Polishers 221B (F25)	28. Cooling Tower #3 (F51)
4. Forehearth 222 - Burning Natural Gas or Propane (F26)	29. Propane Storage Tanks
5. Flame Polishers 222D (F27)	30. Lab Hoods
6. Flame Polishers 222C (F28)	None
7. Forehearth 223 - Burning Natural Gas or Propane (F29)	None
8. Forehearth 224 - Burning Natural Gas or Propane (F31)	None
9. Flame Polishers 223 (F30)	None
10. Forehearth 232 - Burning Natural Gas or Propane (F32)	401 KAR 59:010
11. Flame Polishers 232 (F34)	401 KAR 59:010
12. Forehearth 233 - Burning Natural Gas or Propane (F33)	401 KAR 59:010
13. Flame Polishers 233 (F35)	None
14. Old Twin Tube (F36)	None
15. Cigar Machine (F37)	None
16. Exhaust Machines (#8, #7, #6, #5, #3, #1) (F38)	None
17. Circleline Machine (F39)	401 KAR 59:010
18. Electrode (F43)	401 KAR 59:010
19. Horizontal #1 (F44)	401 KAR 59:010
20. Horizontal #2 (F45)	401 KAR 59:010
21. Splitter / Trimmer (F40)	401 KAR 59:010
22. North Twin Tube (F41)	401 KAR 59:010
23. South Twin Tube (F42)	401 KAR 59:010
24. Two Diesel Storage Tanks (F54)	None
25. Two Fuel Oil Storage Tanks (F55)	401 KAR 59:010

SECTION C - INSIGNIFICANT ACTIVITIES (continued)

<u>Description</u>	<u>Generally Applicable Regulation</u>
31. Sand Blasting Room	401 KAR 59:010
32. ETC Loading Losses and ETC Coating Storage Tank (F56)	401 KAR 59:010
33. Parts Washing (F57)	401 KAR 59:010
34. Wastewater Treatment Plant (F55)	401 KAR 59:010
35. Three Diesel Emergency Generators (F59)	None
36. Forehearth 225 - Burning Natural Gas or Propane (F60)	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. Pursuant to 401 KAR 63:021, source wide lead and antimony emissions shall not exceed 2.77 lbs/hr and 9.44 lbs/hr, respectively.
2. PM, PM₁₀, SO₂, and NO_x emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. Compliance with annual emissions and processing limitations imposed pursuant to 401 KAR 50:035, Section 7(1)(a), and contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]
3. In accordance with the requirements of Regulation 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
 - a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
 - b. Have access to and copy, at reasonable times, any records required by the permit:
 - i. During normal office hours, and
 - ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency; and
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be reported to the Division's Frankfort Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit,

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

unless otherwise stated in this permit. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of Regulation 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.

6. a. In accordance with the provisions of Regulation 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Frankfort Regional Office concerning startups, shutdowns, or malfunctions as follows:
 1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
 - b. In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Frankfort Regional Office. Prompt reporting shall be defined as within 10 business days of occurrence.
7. Pursuant to Regulation 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Frankfort Regional Office and the U.S. EPA in accordance with the following requirements:
 - a. Identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status regarding each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e); and
 - e. The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date. **Annual compliance certifications should be mailed to the following addresses:**

**Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, KY 40601**

**U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.
9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL CONDITIONS**(a) General Compliance Requirements**

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and for federally enforceable permits shall also be a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements, and;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the Division, in writing, information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]
5. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]
6. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]

SECTION G - GENERAL CONDITIONS (CONTINUED)

7. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
8. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]
9. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]
10. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]
11. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
12. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035 , Permits, Section 7(2)(b)5]
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]
14. Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.
15. All previously issued construction and operating permits are hereby null and void.

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division. [401 KAR 50:035, Permits, Section 12]

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in

SECTION G - GENERAL CONDITIONS (CONTINUED)

applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(e) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]

(f) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall:
 - a. Submit a Risk Management Plan to U.S.EPA, Region IV with a copy to this division and comply with the Risk Management Program by June 21, 1999 or a later date specified by the U.S.EPA.
 - b. Submit additional relevant information if requested by the division or the U.S. EPA.

SECTION G - GENERAL CONDITIONS (CONTINUED)

- c. The Risk Management Plan must be submitted on diskette to:

RMP Reporting Center
P.O. Box 3346
Merrifield, VA 22116-3346

Sources without computers can get an “electronic waiver” from EPA and submit a Risk Management Plan on paper.

(g) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

None.

SECTION I - COMPLIANCE SCHEDULE

None.